ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
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Amendment of Parts 2 and 15 of the Commission's Rules to Deregulate the Equipment Authorization Requirements for Digital Devices	)	ET Docket No. 95-19

To: The Commission

COMMENTS OF SCIENTIFIC-ATLANTA, INC.

Scientific-Atlanta, Inc. hereby submits its comments in response to the Commission's Notice of Proposed Rulemaking in the above-captioned proceeding.[1] By that Notice, the agency proposes to relax the equipment certification requirements for personal computers and peripherals by adopting a new authorization process that would require a manufacturer to test a product for compliance and to include statements of compliance in the literature furnished with the product.

Scientific-Atlanta has been a leader in the information delivery industry for more than 40 years. Its expertise lies in connecting information providers and users via terrestrial and satellite networks and in developing new applications for integrated systems within those markets. In this capacity,

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[1] Amendment of Parts 2 and 15 of the Commission's Rules to Deregulate the Equipment Authorization Requirements for Digital Devices, ET Docket No. 95-19, Notice of Proposed Rulemaking, FCC 95-46, released February 7, 1995 ("Notice"). A summary of the Notice was published in the Federal Register on March 22, 1995. 60 Fed. Reg. 15,116 (Mar. 22, 1995).

Scientific-Atlanta has been a major supplier of equipment to the cable television, satellite and telephone industries. It maintains its position by continually developing new and innovative products that require FCC equipment authorization.

Scientific-Atlanta commends the Commission's efforts to streamline its regulations for authorizing digital devices. The FCC's past processing periods have often delayed the introduction of new technology in the marketplace to meet consumer demand. While supporting the goals of this proceeding, Scientific-Atlanta urges the Commission to tailor its proposal in two important respects. First, the agency should make clear that any decision to replace the procedures for certification would not also replace the procedures for verification. Indeed, applying the proposed new equipment authorization procedures to devices that are now subject to the FCC's verification procedures would encumber rather than streamline the authorization process for such devices.

Second, as the agency streamlines the authorization process for personal computers and personal computer peripherals, it also should streamline the process for certain devices currently subject to notification. Specifically, the FCC should expand the applicability of its verification procedures to encompass cable system terminal devices, which should benefit from the treatment accorded verified devices.

A. The FCC Should Make Clear That Class A Devices and Similar Equipment Now Subject to Verification Are Not Swept Into A New Process That Would Encumber Rather Than Streamline the Authorization of Such Devices

Since 1980, the Commission's rules have required digital devices other than personal computers and personal computer peripherals to be verified for compliance with the Commission's radio frequency emission limitations set forth in Part 15 of the FCC rules before such devices may be marketed. Under the agency's verification procedures, the party responsible for compliance must test the equipment for compliance with FCC requirements and place the test report and associated materials into a company file available to agency staff only upon request.[2]

The FCC should clarify, however, that its proposed new authorization process will not be applied to verified devices, as to do so would further complicate the marketing and distribution of innovative products. Notably, the new process would require companies to include in equipment literature a "Declaration of Conformity" ("DoC"), which would contain identification information, compliance statements, test report dates and numbers, and responsible party information.

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[2] 47 C.F.R. §§ 2.951 et seq. (1994).

These requirements are more burdensome than the agency's current verification procedures and would result in significant logistical problems for the industry, particularly in the printing of manuals and other literature. Equipment literature typically is printed well before a company receives test data dates and numbers. Furthermore, such literature is often not changed when devices have been modified or improved. Thus, companies are likely to find it extremely difficult to comply with this requirement.

Scientific-Atlanta therefore respectfully urges the FCC to make clear that it is not replacing its existing verification procedures for Class A and other verified devices. The verification procedures have been proven to ensure against harmful interference to licensed radio transmissions. The new authorization process does not offer any benefits to ensure further compliance with the FCC's requirements and would only create additional and unnecessary regulatory burdens for such devices.

B. The FCC Should Streamline the Authorization Process For Cable System Terminal Devices and Other Notified Devices By Applying Its Verification Procedures To Those Products

Scientific-Atlanta manufactures Cable System Terminal Devices ("CSTDs"), among other products, for connection to cable television systems. CSTDs are subject to the FCC's equipment authorization procedures for

notification.[3] Accordingly, Scientific-Atlanta must submit an application to the FCC along with associated technical information, compliance attestations, photographs and labelling information for approval before it may market the such devices.[4] In fact, the notification process is in many ways similar to the certification process that the agency has proposed to modify in this proceeding.

Scientific-Atlanta urges the FCC to extend its verification procedures to CSTDs and other similar notified devices. The notification process, like the certification process, significantly delays the introduction of products into the marketplace to meet consumer demand. The FCC generally requires 25 to 35 days to process routine notification applications and even more time to process non-routine applications. Accordingly, notified devices would benefit from the same treatment accorded to verified products.

Scientific-Atlanta emphasizes, however, that the FCC's existing verification procedures -- rather than its new DoC procedures -- should be applied to such equipment. As discussed above, the proposed rules would impose additional burdens that are not currently imposed upon verified devices. Without regard to whether the DoC procedures may be appropriate for the personal computer industry, those procedures are clearly inappropriate

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[3] Id. at § 15.101(a)(1994).

[4] Id. at § 2.975.

to the CSTD industry. The computer industry includes hundreds of manufacturers and thousands of system integrators, many of which are new to the industry. The CSTD industry, on the other hand, is comprised of far fewer manufacturers and integrators, most of which have existed in the industry for quite some time and have substantial knowledge of the FCC's rules. More importantly, many CSTD manufacturers already have experience with the agency's compliance attestation requirements, as set forth in Section 2.975(a)(6) of the Commission's rules.[5]

The procedures applicable to verified devices have been proven to prevent harmful interference and should be extended to notified devices and, in particular, CSTDs. Given the differences between CSTD and computer manufacturers, the less burdensome procedures of verification are sufficient to safeguard against harmful interference from notified devices.

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[5] Id. at § 2.975(a)(6).

C. Conclusion

Adoption of the rules as proposed in this proceeding should significantly reduce the burden of the certification procedures on manufacturers and the Commission, while maintaining an effective program to minimize interference to radio communications. Scientific-Atlanta recommends, however, that the Commission continue to apply its "existing" verification procedures -- and not the proposed DoC rules -- to devices currently subject to verification and that it expand its verification procedures to encompass devices currently subject to notification.

Respectfully submitted,

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